

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

916Q0034

SENATE AGRICULTURE AND NATURAL RESOURCES

ENGROSSED NO. **SB 2** - 1/27/2009

Introduced by: Senators Hansen (Tom), Howie, and Maher and Representatives Brunner, Juhnke, Olson (Betty), and Vanneman at the request of the Department of Game, Fish and Parks Agency Review Committee

1 FOR AN ACT ENTITLED, An Act to revise the available number and method of allocation of
2 certain nonresident waterfowl hunting licenses.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 41-6-18.4 be amended to read as follows:

5 41-6-18.4. The Game, Fish and Parks Commission may promulgate rules in accordance with
6 chapter 1-26 to authorize the department to issue up to two thousand five-hundred fall three-day
7 temporary nonresident waterfowl licenses, up to two thousand early fall Canada goose
8 temporary nonresident licenses, and a number of spring snow goose temporary nonresident
9 licenses to be determined by the department, and to establish the fee therefor, validity of the
10 licenses issued, types of waterfowl to be hunted, and areas in which hunting is permitted. ~~Up~~
11 ~~to five hundred of the fall three-day temporary nonresident waterfowl licenses shall be made~~
12 ~~available for use in the counties of Brown, Marshall, Roberts, Day, Grant, Clark, Codington,~~
13 ~~Deuel, and Hamlin. The commission, in rules promulgated pursuant to chapter 1-26, may~~
14 ~~establish a process and criteria to allow the issuance of a portion of the five hundred licenses~~



1 ~~in counties other than those specified if the department determines that such licenses are~~
2 ~~otherwise likely to remain unsold. Except for the fall three-day temporary nonresident waterfowl~~
3 ~~licenses issued in Brown, Marshall, Roberts, Day, Grant, Clark, Codington, Deuel, and Hamlin~~
4 ~~counties, the~~ The rules may allocate the number of licenses to be used in specific counties or
5 specified regions or units. ~~The~~ fall three-day temporary nonresident waterfowl licenses are valid
6 only on private property, but are not valid on private property leased by the department for
7 public hunting or on highways or other public rights-of-way within this state that otherwise meet
8 the requirements of § 41-9-1.3. Revenue from the sale of fall three-day temporary nonresident
9 waterfowl licenses shall be deposited in the department's land acquisition and development fund
10 to be used to acquire, by lease; or permit, ~~or otherwise,~~ interests in real property to be used for
11 providing waterfowl hunting public access in the counties adjacent to the Missouri River.
12 Revenue from the sale of early fall Canada goose temporary nonresident licenses shall be
13 deposited in the department's land acquisition and development fund to be used to acquire by
14 lease; or permit, ~~or otherwise,~~ interests in real property to be used for providing waterfowl
15 hunting public access. Before promulgating rules which permit the issuance of fall three-day
16 temporary nonresident waterfowl licenses, the commission shall determine that adequate
17 waterfowl hunting public access has been provided through the department's land acquisition
18 and development fund or through other means.